

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
Greenbelt District

IN RE:

William T. Milligan

Debtor(s)

Bankruptcy No. 19-25781
Chapter 13

OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

Now comes Caliber Home Loans, Inc. by and through Law Offices of Jeffrey Nadel and Jeffrey Nadel, Esq. and Scott E. Nadel, Esq. and objects to the Chapter 13 Plan filed by the debtor, and as grounds therefore states as follows:

1. That the debtor herein filed a Voluntary Petition for Relief under Chapter 13 of Title 11 of the U.S. code on or about November 26, 2019, thus initiating case number 19-25781.

2. That Caliber Home Loans, Inc. is the holder of a 1st Trust lien on the subject property, 9205 Fairhaven Avenue, Upper Marlboro, MD 20772 and further known as tax ID # 15-1740315 in Prince George's County, Maryland.

3. That Caliber Home Loans, Inc. filed a Proof of Claim for its lien on January 29, 2020 wherein they set forth a pre-petition claim in the amount of \$1,321.28.

4. That the debtor has filed a Plan which does not call for pre-petition payments to the Trustee for the full amount of the Proof of Claim pre-petition arrearages as set forth by Caliber Home Loans, Inc..

5. That the debtor has filed a Plan which calls for payment to Caliber Home Loans, Inc. of pre-petition arrearages in the amount of \$0.00, thus unjustifiably reducing the rightful and timely filed claim of Caliber Home Loans, Inc..

6. That no objection to the said proof of claim has been filed and therefore the claim is presumed to be valid and in the amount stated. 11 USC § 502(a); Bankruptcy Rule 3001(f).

7. That therefore the plan is unfeasible and cannot be confirmed as a matter of law unless amended to provide for curing of the arrearage claim of Caliber Home Loans, Inc. and to provide adequate funding for all payments, which are required to be made under the plan.

WHEREFORE, Caliber Home Loans, Inc. prays that the Chapter 13 Plan as filed by the debtor be DENIED confirmation.

LAW OFFICES OF JEFFREY NADEL

By: /s/ Jeffrey Nadel
Jeffrey Nadel 01526
4041 Powder Mill Road, Suite 200
Calverton, Maryland 20705
240-473-5000
jeff@lojnlaw.com
Attorney for Caliber Home Loans, Inc.

LAW OFFICES OF
JEFFREY NADEL
4041 POWDER MILL ROAD
SUITE 200
CALVERTON, MD 20705
240-473-5000

FILE NUMBER: 22521

By: /s/ Scott E. Nadel
Scott E. Nadel 16027
scottnadel@lojnlaw.com
4041 Powder Mill Road, Suite 200
Calverton, Maryland 20705
240-473-5000
Attorney for Caliber Home Loans, Inc.

Certificate of Service

I hereby certify this 31st day of January, 2020 that a copy of the foregoing Objection were mailed, postage prepaid, first class, to the following:

William T. Milligan
9205 Fairhaven Avenue
Upper Marlboro, MD 20772

Office of U.S. Trustee
6305 Ivy Lane
Suite 600
Greenbelt, MD 20770

The following parties have been served via ECF:

Thaddeus Jay Holmquist, Esquire
2833 Smith Avenue, #448
Baltimore, MD 21209

Timothy P. Branigan, Trustee
9891 Broken Land Parkway, Suite 301
Columbia, MD 21046

/s/ Scott E. Nadel
Scott Nadel